

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO: 08-130</b>
<b>v.</b>	*	<b>SECTION: R (3)</b>
<b>MARCHELLO JONES</b>	*	<b>VIOLATIONS: 21 U.S.C. § 841(a)(1)</b> <b>21 U.S.C. § 846</b> <b>18 U.S.C. § 924(c)</b> <b>21 U.S.C. § 851</b>
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**FACTUAL BASIS**

Should this matter proceed to trial, the United States of America will prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts:

In March 2008, Special Agents with the Bureau of Alcohol, Tobacco, Firearms, and Explosives began an historical investigation of Marchello Jones for firearms and narcotics violations. The investigation revealed that Marchello Jones was a street level drug dealer who usually carried a firearm and who had been known to use violence to protect his drug trade and reputation in the New Orleans area for several years. Through computer checks, federal agents were able to identify some of his drug associates as Dwayne Hitchens aka “Wayne”, Carl Fields aka “Bo”, Kendrell Fields aka “Drell”, Keith Johnson, Ronnell Jackson aka “Nell”, Jasmine Hill, and other known individuals.

As part of this investigation ATF agents began interviewing officers of the New Orleans Police Department and DEA agents who had arrested members of this organization in the recent past. According to these law enforcement officers and the official reports of these arrest, the agents were able to learn the following:

On December 13, 2007, at approximately 9:20am, Detectives from NOPD Major Case Narcotics and DEA established surveillance at 419 South Gayoso Street. At approximately 10:38am, detectives observed a silver Infiniti pull in front of the residence and Carl Fields exited the driver's side and retrieved a black bag from the trunk. Dwayne Hitchens met Fields on the porch and they went inside the residence. At approximately 11:20am, Hitchens hurriedly left the residence in his Toyota Avalon and drove to the intersection of Tulane Avenue and South Jeff Davis Parkway. Alonzo Collins was waiting at the intersection and got in the passenger side of Hitchens vehicle. A short time later Alonzo Collins quickly exited Hitchens vehicle and entered the driver's side of a silver Oldsmobile Intrigue. During this short meeting, Dwayne Hitchens distributed approximately 13.8 grams of cocaine hydrochloride to Alonzo Collins. Detectives and Agents maintained a surveillance of both vehicles. Detectives and Agents attempted to stop the Oldsmobile being driven by Alonzo Collins. Alonzo Collins attempted to evade the police, but eventually came to a stop. The passenger, Calis Collins, was found to be in possession of marijuana. Also, Calis Collins told police that he also had cocaine, which was just purchased by his cousin Alonzo Collins. Alonzo Collins had handed Calis Collins the cocaine as they were being stopped by the police. Calis Collins and Alonzo Collins were placed under arrest for possession of cocaine.

Hitchens then drove to Banks and South White Street where a vehicle stop was conducted and he was arrested for distribution of cocaine. A search incident to arrest revealed that Hitchens

had \$489 in right front pocket of his jeans. Later that day on December 13, 2007, the search warrant was executed at 419 South Gayoso Street. Upon entry into the residence, Detectives encountered Carl Fields and Destiny Daniels seated on a sofa in the front room and placed them under arrest. Detectives noticed an overwhelmingly pungent odor inside the residence which was coming from a large amount of cocaine being converted to crack cocaine by being cooked in the microwave in the kitchen. Carl Fields stated that he was “cooking the crack.” Also, NOPD officers confiscated \$7,885 in U.S. currency from the home. Destiny Daniels told police that she saw “Bo” (Carl Fields), cooking the drugs, and she stated that “Wayne” (Dwayne Hitchens) helped unpack the drugs. It should be noted that DEA agents observed Marchello Jones outside the residence watching as the officers executed the search warrant. The NOPD tested and weighed the drugs that were found inside the residence located at 419 South Gayoso at the NOPD Crime Lab. The drugs tested positive for cocaine base “crack” with a net weight of 336.5 grams and cocaine hydrochloride with a net weight of 557.1 grams. Carl Fields and Dwayne Hitchens were arrested on state charges but were released on bond shortly thereafter.

On December 24, 2007, NOPD Officers conducted a traffic stop in the 4200 block of D’Hemecourt. Officers observed a blue Infiniti that had dark tint and no brake tag. Officers approached the driver side of the vehicle, and saw Kendrell Fields bending down to conceal or retrieve an object. Officers opened the driver’s door and observed Fields attempting to conceal a large white rock like substance in his shoe. The officer recovered this rock like object and determined that it was crack cocaine. A second officer approached the passenger side of the vehicle, which was occupied by Marchello Jones. The officer made repeated demands to Jones to show his hands, but he kept his hands between his legs to conceal something. After the officer got Jones out

of the vehicle, he saw a clear bag containing marijuana on the seat where Jones had been sitting. A search incident to arrest revealed Jones to be in possession of one large piece of crack cocaine in his right front pocket. The NOPD lab tested the drugs which tested positive for crack cocaine and had a total net weight of 11.2 grams (5.6 grams found on Kendrell Fields and 5.6 grams on Marchello Jones). Both Jones and Kendrell Fields were arrested on State drug charges but were released on bond shortly thereafter.

On March 28, 2008, the New Orleans Police Department (NOPD) attempted to pull over a car for a hit and run violation. The vehicle failed to stop, resulting in a high speed pursuit by NOPD officers for several blocks. During the pursuit, the police officers saw the driver throw a gun from the driver's side of the vehicle. The vehicle sped down the street, lost control, and came to a stop. Both the driver and the passenger got out of the vehicle and ran from the police. Officers immediately recovered the firearm, a Springfield Armory model XD-9, 9mm pistol, serial number US934778. Officers were able to identify the driver as Marchello Jones based on previous arrests and dealings with him. During a search of the vehicle, NOPD officers recovered Marchello Jones' identification card, debit card, hospital paperwork, and medical prescriptions inside the vehicle. The passenger of the car was caught by the police but Jones made good on his escape. The passenger later told federal agents that Jones was the driver of the car and that he (Jones) discarded the firearm from the vehicle.

The car was secured and a records check indicated that it was registered to Michael Hill, Marchello Jones' girlfriend's (Jasmine Hill) father. According to Jasmine Hill, Jones

told her later that night to report the car stolen, which she did. (Note, according to Jefferson Parish Deputies, Jasmin Hill did file a report of a stolen vehicle on March 28, 2009). However, Jasmine Hill later admitted to federal law enforcement officials that she loaned her father's car to Marchello Jones and that Jones told her the "car got wrecked" and that she should report it stolen. Jones was eventually arrested in connection with this incident and charged in federal court with being a felon in possession of a firearm, since he had previously been convicted of possession of cocaine, which is a felony drug offense, in Orleans Parish Criminal District Court, under case number 441-599 back on March 21, 2005.

While Marchello Jones was in federal custody, agents began to monitor his phone calls from prison, which were recorded. Agents were also able to pull the recorded telephone calls from Orleans Parish Prison, where Jones was recently incarcerated on state charges.

It became evident very quickly, that when Jones was incarcerated he used the prison telephone to keep in contact with his drug associates and continued to participate in the distribution of drugs. Agents discovered numerous calls that Marchello Jones made to his girlfriend, Jasmine Hill, who would then in turn place three-way phone calls to Marchello Jones' known drug associates so that they could conduct business.

On March 1, 2008, numerous telephone calls from Orleans Parish Prison (O.P.P.) showed that Marchello Jones was directing Jasmine Hill to get marijuana from Ronnell Jackson and bring the marijuana to him (Jones) at O.P.P. During this series of calls , Jones calls Hill, who in turn places a 3-way call to Ronnell Jackson. While conducting this plan to get marijuana brought into O.P.P. Jones speaks to both Hill and Jackson on the telephone. They specifically talk about grams

of marijuana, bagging up the marijuana, and “blunt spray” during these conversations and how Jones will distribute the marijuana to others in jail. They also discuss where Hill will drop off the marijuana while she is parked outside the Orleans Parish Prison. Jasmin Hill would testify that she did bring marijuana to the Orleans Parish Prison at the direction of Marchello Jones. According to Hill, she drove one of Jones’ known associates to the prison. This associate, who had wrapped up the marijuana with a \$100.00 dollar bill in a piece of foil, placed the package by the fence of the jail. According to Hill this was done because Jones had a prison trustee retrieve the drugs and bring them into the jail. This testimony would be corroborated by a telephone call that shows that Jones and other inmates were worried because one of the trustees “got busted” (caught by law enforcement) for bringing contraband into the jail.

A review of the phone calls during this period also indicated that Jones had a falling out with Jackson. In one of the phone calls just prior to Jones’ March 6, 2008 release from O.P.P., Marchello Jones tells Jasmine Hill, that he’s going to have to “f - up” (Ronnell Jackson) because he is “competing” with him.

On March 6, 2008, Marchello Jones was released from Orleans Parish Prison. Jasmine Hill picked Marchello Jones up from Central Lockup upon his release and lent him her cell phone and her car. Later that day NOPD responded to a call regarding a shooting on Earhart Boulevard at the “What’s Up Tattoo Shop”. A survey of the crime scene indicated that three different guns were used in the course of this shooting. Based on the placement of the shell casings, it appeared that the victim (Ronnell Jackson) and another known individual returned fire when they were fired upon. NOPD officers learned that Ronnell Jackson was admitted to Ochsner Hospital with multiple

gunshot wounds to his body. (Jackson later recovered from his injuries but lost an eye due to the fact that he got shot in the face). Through interviews with several individuals, agents learned that earlier that day, Marchello Jones and Ronnell Jackson had a verbal argument about a block away from the tattoo shop. According to witnesses this argument had to do with who was being a “rat” (slang term for someone who was giving the police information about local drug dealers). Jones returned a short time later, produced a handgun, and shot Ronnell Jackson. During the shooting, Ronnell Jackson and his brother each produced a gun and returned fire.

Agents were also able to locate a phone call from the prison phone system that took place approximately fifteen minutes after the shooting at the tattoo shop on March 6, 2008. During this call an inmate from Orleans Parish Prison called Jasmine Hill’s cell phone, which was in the possession of Marchello Jones. Marchello Jones answers the phone and is clearly out of breath during the telephone call. Marchello Jones states that he had to “get down on a nigga man.” Jones goes into detail talking about how he went to the tattoo shop and began shooting into the place. Jones also said, “nigga think it ain’t still in me, and you know, everybody like man — before Marty got shot, nigga wouldn’t playing with him before he got shot, nigga wouldn’t playin with him.” He later states that he “got to make an example, man.” It should be noted that several months before this incident Marchello Jones was a victim of a shooting from a known rival drug dealer. (By pleading guilty to Count 13 of the superseding indictment Marchello Jones admits that he shot Ronnell Jackson to make an example out of him and to further his reputation among his drug associates).

Jasmin Hill would also testify that later that night she met up with Marchello Jones and that he told her that he shot Ronnell Jackson at the Tattoo shop.

According to an NOPD crime lab report, a ballistics expert examined the gun that was recovered from Marchello Jones on March 28, 2008 and the shell casings that were recovered on March 6, 2008 from the tattoo parlor shooting. According to the ballistics expert, Jones' gun fired the casings that were recovered from the tattoo shop.

\_\_\_\_\_ On April 13, 2008, Marchello Jones, who was in the St. Charles parish prison, called Jasmine Hill who then connected Jones to Carl Fields through 3<sup>rd</sup> party calling. During this call Jones tells Carl Fields that he should be only dealing in "soft" (powder cocaine) and not "hard" ("crack") due to the difference in the federal sentencing guidelines. Jones tells Fields that they (drug associates) should get rid of their phones and go back to using beepers, so that they cannot be detected by federal law enforcement. Jones also tells Fields that if the Feds knew about what "we used to do, our sentencing guidelines would be to the moon." It is clear from this phone call that Jones was still providing advice and assistance to his drug associates.

Additional calls from the St. Charles Parish Prison were also recorded. In these calls, Jones directs Jasmin Hill to call one of his associates named "Killer". Jones tells "Killer" that he has to talk to the individual who was in the car with Marchello Jones when he discarded the gun. It is evident from the call that Jones believes that this individual has cooperated with law enforcement authorities. Jones refers to him as a "rat". Jones directs "Killer" to speak to this individual and persuade him not to come to court. In another related call, Jones speaks directly to this known witness and ask him to lie to authorities about who was in the car with him on March 28, 2008. Jones goes so far as to have one of his cell mates, a known individual who was recently convicted of murder in federal court, get on the phone on his behalf and try and persuade the known witness to give a false story to law enforcement authorities concerning the incident on March 28, 2008. It is clear that these calls were made with the specific intent to obstruct the administration of justice.



At trial the government would also present several of Jones' drug associates who would testify that Jones has been dealing crack cocaine, powder cocaine, marijuana, and heroin most of his life. These drug associates grew up with Marchello Jones in the Carrollton Area of the City of New Orleans and dealt drugs with him on a daily basis for years. According to these witnesses Marchello Jones started out as a street corner hustler, who would sell rocks of cocaine base ("crack") in small amounts to drug addicts. However, as time went on Marchello Jones became a bigger dealer and supplied other street level dealers with crack cocaine. They would also testify that Marchello Jones would usually travel around the city in rental cars to avoid detection by law enforcement and that he always had wads of cash on him despite not having a legitimate job.

Other drug associates would testify that they supplied Marchello Jones directly with both powder and crack cocaine off and on for several years during the course of the conspiracy.

The Government and the defendant, Marchello Jones, agree and stipulate that the amount of drugs that were distributed by Jones and his co-conspirators during the five year conspiracy and that were reasonably foreseeable by Marchello Jones was at least 500 grams but not more than 1.5 kilograms of cocaine base, a least 500 grams but not more than 2 kilograms of cocaine hydrochloride, and a negligible amount of marijuana and heroin.

By signing this document, the defendant, Marchello Jones admits he pled guilty on April 26, 2006, in Orleans Parish Criminal District Court, case number 453-134, to possession with the intent to distribute crack cocaine, a felony drug offense. He was then sentenced to serve two years and six months in the custody of the Louisiana Department of Corrections. This conviction is now final.

At trial, the government would produce the drugs that were recovered from several co-conspirators during the course of the conspiracy and the numerous telephone calls that were recorded on the jail phone systems. The government would also produce the testimony of several law enforcement agents and several cooperating co-conspirators.

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BRIAN CAPITELLI  
Assistant United States Attorney

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Date

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MAURICE E. LANDRIEU, JR  
Assistant United States Attorney

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Date

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SAMUEL SCILLITANI, ESQ.  
Counsel For Defendant

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Date

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MARCHELLO JONES  
Defendant

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Date